State of Ohio Environmental Protection Agency
Division of Surface Water
401 Water Quality Certification and Isolated Wetland Section

Pre-Application Meeting Request Form

Office Use Only	
Date Received:	
Coordinator:	
Ohio EPA ID #:	
USACE PN #:	
Site Visit (Y/N):	

Instructions

Filling out a pre-application form is an informal first step in the Section 401 WQC and/or Isolated Wetland Permitting process. It provides the opportunity to present and discuss details of your project while it is in its early planning stages. **At a minimum**, you must indicate your meeting purpose and complete Sections 1, 2 and 3. Please fill out Section 4 to the degree possible given your unique constraints on time and resources. More detailed instructions are provided at the end of this form.

Meeting Purpose

Please state what you hope to accomplish at the pre-application meeting:

Mail or E-mail completed request form and supporting information to:
Ohio EPA
DSW/401 Section
P.O. Box 1049
Columbus, OH 43216-1049
EPA.401Webmail@epa.ohio.gov

SECTION 1: Contact Information		
Part A. Applicant		
Applicant Contact Name and Title *(President, Chair or other person in charge of Organization):*		
Name:	Title:	
Phone: ( )	Fax: ( )	
Alternate phone: ( )		
E-mail:		
Street:		
City:	State	Zip:
Statement of Authorization: I hereby designate and authorize the below-named consultant/agent to act in my behalf in the processing of this Pre-Application Meeting Request, and to furnish supplemental information in support of the meeting request.		
Signature of Applicant:	Date:	
Part B. Consultant/Agent (if applicable)		
Consultant/Agent Contact Name and Title *(Project Manager or other person in charge of authorizing contracts for 401/Isolated Wetlands permitting):*		
Name:	Title:	
Phone: ( )	Fax: ( )	
Alternate phone: ( )		
E-mail:		
Street:		
City:	State:	Zip:

Click to clear all entered information (on all 4 pages of this form) CLEAR

SECTION 2: Project Location	
Site Name:	
Location on land where activity is proposed. *(Indicate coordinates of a fixed reference point at the impact site (if known) in decimal degrees. For projects with stream impacts, use River Mile. For Lake Erie shoreline projects, use Shoreline Mile):* Coordinates:	
Street:	County:
Nearest City and/or Township:	Zip:
Watershed:	
HUC 8:	
Identify the criteria used to select the project site, including stream and wetland impact avoidance and minimization:	
Attachments *(please place a checkmark next to each item below to indicate that the following attachments are being submitted):* A. ____ Site Map with boundaries B. ____ Site maps for alternative locations considered during site selection C. ____ Site identified on USGS topographic map D. ____ Proposed project footprint (including proposed construction limits)	

SECTION 3: Project Information
Please read the Section 401 Water Quality Certification and Isolated Wetlands Guide book before completing Section 3.
Description of Project:
Description of Project Purpose and Need:
Proposed Project Schedule *(Include construction start date and other dates pertinent to the project)*:

SECTION 4: Investigation of Water Resources and Permitting Considerations	
Please check Yes or No next to each item below to indicate that it (Y) has or (N) has not been completed AND place a checkmark to indicate (where appropriate) that it is being provided as an attachment:	
1. Have you taken photographs of the site? Yes ☐ No ☐	☐ Photographs attached
2. Did you review a NRCS Soil Survey for this project? Yes ☐ No ☐	☐ NRCS Soil Survey attached
3. Did you review USGS Stream Stats for this project? Yes ☐ No ☐	☐ USGS Stream Stats attached
4. Did you review a National Wetlands Inventory Map (NWI) for this project? Yes ☐ No ☐	☐ NWI Map attached
5. Have you delineated the water resources on the site? Yes ☐ No ☐	☐ Wetland Delineation attached
6. Have you submitted the delineation to the U.S. Army Corps of Engineers? Yes ☐ No ☐	☐ When was delineation submitted? ___ / ___ / ____
7. Have you received a Jurisdictional Determination? Yes ☐ No ☐	☐ Jurisdictional Determination attached
8. Did you review OAC rules 3745-1-08 to 3745-1-32 and/or 3745-1-53 for each of the water bodies on site to determine if it has a designated use? Yes ☐ No ☐	☐ Appropriate page(s) from OAC rules or similar indicating designated use for each water body attached
9. Have you performed habitat assessments (QHEIs or HHEIs) on the streams on site? Yes ☐ No ☐	☐ QHEI and/or HHEI Score Sheets attached
10. Have you conducted ORAM assessments and made proposed category assignments for the wetlands on site? Yes ☐ No ☐ The 10-page ORAM form must be filled out for each wetland (Background Information, Scoring Boundary Worksheet, Narrative Rating, Field Form, Qualitative Rating, ORAM Summary Worksheet, and Wetland Category Worksheet)	☐ 10-page ORAM form attached for each wetland on site
11. Have you performed any other analysis (e.g., biological)? Yes ☐ No ☐ Please list:	☐ Other Analysis attached
12. Do you have an Avoidance and Minimization Plan? Yes ☐ No ☐	☐ Avoidance / Minimization Plan attached
13. Have you selected a Mitigation Site? Yes ☐ No ☐	☐ Mitigation Site Map attached
14. Do you have a conceptual Mitigation and Monitoring Plan? Yes ☐ No ☐	☐ Conceptual Mitigation & Monitoring Plan attached

SECTION 4: Investigation of Water Resources and Permitting Considerations

15. Have you read Ohio EPA's Section 401 Water Quality Certification Application requirements? Yes ☐ No ☐

16. Have you read Ohio EPA's Section 401 and Isolated Wetlands Guidance Manual? Yes ☐ No ☐

17. Have you read Ohio EPA's *Integrated Wetland Assessment Program.Part 6: Standardized Monitoring Protocols and Performance Standards for Ohio Mitigation Wetlands.* 2004? Yes ☐ No ☐

18. Are you familiar with the Wetland Water Quality Standards, Ohio Administrative Code rules 3745-1-50 to 54 and the Isolated Wetland Statute, Ohio Revised Code §6111.02 to §6111.029? Yes ☐ No ☐

19. Have you determined if other permits are necessary for this project? Yes ☐ No ☐
Please list if known:

20. Please list any specific questions you have :

Notes:
The information requested in this form is based on the requirements in Ohio Revised Code §6111.30 and §6111.021, and Administrative Code Chapter 3745-32. Applicants should be familiar with the contents of these laws and regulations prior to completing this request form. Additional information is available at http://www.epa.ohio.gov/dsw/401/index.aspx or by calling (614) 644-2001.

Instructions for filling out the pre-application meeting request form

Please state what you hope to accomplish at the pre-application meeting: Planning a project that will impact wetlands, streams, rivers, lakes or other regulated water resources, and anticipating how Ohio EPA will respond to your application can be difficult. In an effort to avoid delays, confusion and ensure that Ohio's environment is protected, Ohio EPA offers early coordination for all applicants who need to apply for a Section 401 Water Quality Certification or Isolated Wetland Permit. Through a pre-application meeting, Ohio EPA representatives can help ensure you know exactly what you need before you submit your application. Therefore, some suggested uses for a pre-application meeting include:

1. To receive education regarding the 401 and/or 404 process including rules and regulations, timelines, identification of water resources, etc;
2. To provide guidance
   a. To provide input on project design/footprint
   b. To look at water resources
      i. wetlands – locations and characterization
      ii. streams – locations and characterization
      iii. landscape/setting – land use and buffers to aquatic resources
   c. To help permit process proceed faster
      i. answer questions
      ii. come to consensus
   d. To discuss project specifics
3. To evaluate the quality of water resources by verifying ORAMs, HHEIs, QHEIs, HMFEIs, etc.
4. To evaluate fast-track potential

SECTION 1: Contact Information- THIS SECTION IS REQUIRED TO BE COMPLETED

Part A - Applicant Information

Provide your name, title, telephone number, fax number, e-mail address. Provide your address (not the project address), including the street, city and zip code.

You MUST provide a contact name. For complex projects or projects with multiple contractors and responsible parties, designation of a single point of contact will speed up the process and enable more timely responses to requests for information.

Statement of Authorization – by signing this document, you are certifying that the consultant/agent named in Part B of Section 1 is authorized to act in your behalf in the processing of the pre-application meeting request, and may furnish supplemental information in support of the meeting request.

Part B – Consultant/Agent Information (if applicable)

If you choose to be represented by an agent, provide the consultant's or agent's name, title, telephone number, fax number, e-mail address, mailing address including street, city and zip code. You are not required to have an agent.

SECTION 2: Project Location- THIS SECTION IS REQUIRED TO BE COMPLETED

Site Name –

Please title the project with an obvious site name. The Site Name will be used when entering the project into the 401 database, as well as in all correspondence referencing the project .

Project Location –

Provide specific information relating to the location of your proposed project. Determine the project coordinates in decimal/degrees using http://findlatitudeandlongitude.com/ . If project is on Lake Erie, use River Mile or Shoreline Mile using http://www.epa.ohio.gov/dsw/gis/RiverMileSystem.aspx. Give the project address or closest point of reference including the street name or nearest intersection, county, nearest city and/or township, state and zip code.

Watershed - Enter the name of the watershed. Determine what watershed the project is located in using:

- If you know the stream name, the watershed name is referred to as "River Basin" on this Web page: http://wwwapp.epa.ohio.gov/dsw/ir2010/search.html,
- To use the project location zip code to identify the watershed, use US EPA's Surf Your Watershed Web page: http://cfpub.epa.gov/surf/locate/index.cfm,
- To use a map to identify the watershed, use the USGS Science in Your Watershed map : http://water.usgs.gov/wsc/map_index.html, or
- To use the Interactive Mapping Tool using Ohio State's Experience Ohio's Watershed's Web site: http://tycho.knowlton.ohio-state.edu/.

HUC 8 – Enter the 8-digit Hydrologic Unit Code (HUC). Determine your 8-digit HUC code using:

- Ohio EPA's 2012 Integrated Report: http://www.epa.ohio.gov/portals/35/tmdl/2012IntReport/HUC8_basemap.pdf, or
- Ohio EPA's Query Map by Location: http://gis.epa.ohio.gov/map.php, or
- Ohio EPA's List of River Basins in Ohio: http://wwwapp.epa.ohio.gov/dsw/ir2010/basin.php.

Identify the criteria used to select the project site, including stream and wetland impact avoidance and minimization –

What criteria were used to select the project site and why was this site chosen? Be as specific as possible. Demonstrating avoidance means to show that alternative sites that fulfill the basic project purpose and have less impact to wetlands and streams were not practicable, so long as the alternative does not have other significant adverse environmental consequences. Minimization means that unavoidable impacts on-site are reduced to the maximum extent practicable. You should include any supplemental environmental reports, assessments, or other documents that explain or justify the proposed configuration of the project.

Questions to consider when answering this question include: Was the project site selected to avoid a greater amount or higher quality water resources on an alternative site? Were the project components sited to avoid

wetland and stream impacts? Can the proposed project components be located in an upland area? Can the proposed project or project components be located in a lower-quality wetland or stream area? Can the footprint of the specific project components be reduced?

Attachments **-** Provide accurate maps depicting the project location.

A. ***Site map with boundaries*** – The map should include the boundaries of the site showing all streams and wetlands located on the site overlaid on a current aerial photograph.

B. ***Site maps for alternative locations considered during site selection*** **-** The maps should include the boundaries of each site showing all streams and wetlands.

C. ***Site identified on USGS topographic map*** – The map should be a topographic map, preferably a United States Geological Survey (USGS) 7.5 minute quadrangle map with the project's Section, Township, and Range noted. (http://nationalmap.gov/ustopo/index.html)

D. ***Proposed project footprint (including proposed construction limits)*** **–** The map should include the boundaries of the site, showing all streams and wetlands, and clearly identify the limits of disturbance and proposed impacts. Try to keep detail on the map to a minimum, focusing instead on the location of structures and associated water bodies.

SECTION 3: Project Information- THIS SECTION IS REQUIRED TO BE COMPLETED

Description of Project –

Provide a narrative description of the proposed project. Examples of project description include stabilizing a stream bank, installing a bridge or culvert in a stream to access a site, developing a site for commercial use, etc.

If you know information regarding the number and size of buildings, structures and facilities to be built on the site, provide that information here. Also, if you know the number of wetlands that will be impacted (crossing, filling, etc.) and the acreage of each wetland; the number of streams that will be impacted (crossings, filling, rerouting, etc.) and the linear footage of each stream; the acreage/areas of tree clearing; the number and size of storm water detention ponds; the linear feet and width of proposed roadways and bridges; etc., please provide that information here.

Description of Project Purpose and Need -

Describe the purpose of the project (that is, what goal or outcome will be met by the construction of the project), the need for this project, and the anticipated benefits from the project. Examples of project purpose include developing a site for mixed commercial and industrial use; the building of a bridge; developing a site for homes; etc. Explain why the project is needed.

Proposed Project Schedule –

Provide the proposed or actual start date and the anticipated completion date. If you have started your project before obtaining authorization, you may be in violation of federal and/or state law.

Keep in mind that you must provide the following items to Ohio EPA before your 401 Water Quality Certification application is considered complete (and before Ohio EPA will begin the technical review of your project):

1. A complete 401 Water Quality Certification application form;
2. A copy of the United States Army Corps of Engineers' jurisdictional determination letter. If no jurisdictional determination is to be issued by the Corps, the public notice or notification that the project is authorized under a general permit will fulfill this requirement;
3. If the project impacts a wetland, a wetland characterization analysis consistent with the Ohio Rapid Assessment Method;
4. If the project impacts a stream for which a specific aquatic life use designation;
5. A specific and detailed mitigation proposal, including the location and proposed legal mechanism for protecting the property in perpetuity;
6. Applicable permit fees;
7. Site photographs;
8. Adequate documentation confirming that the applicant has requested comments from the Ohio Department of Natural Resources and the United States Fish & Wildlife Service regarding threatened and endangered species, including the presence or absence of critical habitat;
9. Descriptions, schematics, and appropriate economic information of the applicant's preferred alternative, non-degradation alternatives and minimal degradation alternatives for design and operation of the activity;
10. The applicant's investigation report of the waters of the United States in support of the 404 permit application. If no investigation report is required by the Corps, the public notice or notification that the project is to be authorized under a general permit will fulfill this requirement; and
11. A copy of the United States Army Corps of Engineers' public notice regarding the 404 permit application. If no public notice is to be issued by the Corps, notification that the project is authorized under a general permit will fulfill this requirement.

SECTION 4: Investigation of Water Resources and Permitting Considerations-

This section should be completed to the degree possible given your unique constraints on time and resources.

Keep in mind that in order to obtain the most useful, project specific comments, we recommend you provide as much information as possible. You should be able to provide many items on the following list, depending on how far along you are in the planning process:

1. ***Photographs*** – Submittal of photographs depicting the project site is highly encouraged. Photos must be clearly labeled with the direction of the shot, the area depicted and notes on relevant features. A map depicting the location of photos on the project site is also useful and should be included whenever photos are submitted. It is recommended that you provide **at least** 2 pictures for each 500 feet of streams on-site (that are proposed to be impacted or avoided); 2 pictures for each acre of wetland on-site (that are proposed to be impacted or avoided); and 2 pictures for each 100 feet of shoreline.

2. ***NRCS Soil Survey*** – A county soil survey can be used as a desktop evaluation tool to establish soil characteristics that may assist in the identification of potential wetland areas.

    - NRCS Soil Survey: *http://websoilsurvey.nrcs.usda.gov/app/HomePage.htm*

- NRCS list of hydric soils: *http://soils.usda.gov/use/hydric/*

3. ***USGS Stream Stats*** –StreamStats allows users to easily obtain stream flow statistics, basin characteristics such as drainage area, and descriptive information. The basin functions allow users to determine drainage area and watershed size, which will determine what type of habitat assessment will be necessary (e.g., HHEI or QHEI).

    - Stream Stats Instructions: http://water.usgs.gov/osw/streamstats/instructions1.html
    - Stream Stats Interactive Map: http://water.usgs.gov/osw/streamstats/ohio.html

4. ***National Wetlands Inventory Map*** – National Wetland Inventory (NWI) Maps were compiled by the U.S. Fish and Wildlife Service in the 1980s using high-altitude aerial photography. They were not field-verified. Many wetlands exist that do not show up on the NWI Maps. Another source available to view NWI data is on Ducks Unlimited's Web site. Ducks Unlimited, in consultation with the U.S. Fish and Wildlife Service and state governments, is working to update the National Wetlands Inventory (NWI) for the states in its Great Lakes/Atlantic Region. The update utilizes recent imagery to revise the original NWI to represent the region's current inventory of wetlands more accurately.

    - U.S. Fish and Wildlife Service National Wetland inventory (NWI): http://www.fws.gov/wetlands/
    - Ducks Unlimited: http://www.ducks.org/Conservation/GLARO/3752/GISNWIUpdate.html

5. ***Delineation of the water resources*** – The size of a wetland must be determined by conducting a wetland delineation consistent with the protocols established in the U.S. Army Corps of Engineers 1987 Wetland Delineation Manual, or appropriate Regional Supplement. Additionally, the delineation should identify streams and other water resources on the site.

    - U.S. Army Corps of Engineers 1987 edition of the Corps of Engineers Wetlands Delineation Manual: http://el.erdc.usace.army.mil/elpubs/pdf/wlman87.pdf
    - Interim Regional Supplement to the Corps of Engineers Wetland Delineation Manual -Midwest Region : http://el.erdc.usace.army.mil/elpubs/pdf/trel08-27.pdf
    - U.S. Army Corps of Engineers Regional Supplements to Corps Delineation Manual Web page: http://www.usace.army.mil/cecw/pages/reg_supp.aspx

6. ***Have you submitted your delineation to the U.S. Army Corps of Engineers? -*** Your delineation must be approved or reviewed by the Corps of Engineers in order for Ohio EPA to determine the impacts to water bodies associated with the project.

7. ***Jurisdictional determination -*** A jurisdictional determination (JD) is the process of identifying and locating jurisdictional Waters of the United States (including wetlands) regulated by the U.S. Army Corps of Engineers (COE) under Section 404 of the Clean Water Act. An approved JD will be documented in a letter from the Corps and/or on a plat that clearly identifies the jurisdictional area and contains a verification statement dated and signed by a Corps Regulatory Official.

    - U.S. Army Corps of Engineers Regulatory Guidance Letter regarding JDs: http://www.usace.army.mil/CECW/Documents/cecwo/reg/rgls/rgl08-02.pdf

- To determine which Corps office you should contact: http://www.usace.army.mil/cecw/pages/cecwo_reg.aspx
- To obtain a JD from the Corps, contact your local Corps Regulatory field office:

  Buffalo:
  http://www.lrb.usace.army.mil/regulatory/wetlands/JDchecklist.doc

  Huntington:
  http://www.lrh.usace.army.mil/Documents/index.cfm?id=15386&pge_prg_id=11065&pge_id=1072

  Pittsburgh:
  http://www.lrp.usace.army.mil/or/or-f/PGH%20JDRequest.pdf

8. ***Water Quality Use Designation*** **-** Use designations describe existing or potential uses of water bodies. Ohio EPA assigns beneficial use designations to water bodies in the state. There may be more than one use designation assigned to a water body. Examples of beneficial use designations include: public water supply, primary contact recreation, and aquatic life uses (warmwater habitat, exceptional warmwater habitat, etc.).

   - Use designations are defined in paragraph (B) of rule 3745-1-07 of the Ohio Administrative Code (OAC): http://www.epa.ohio.gov/portals/35/rules/01-07.pdf
   - Each of the rules in OAC rules 3745-1-08 to 3745-1-32 covers a major drainage basin. Use designations are assigned in rules 3745-1-08 to 3745-1-32 of the OAC. Use the Water Body Use Designation Index on that page to find the rule number and page number of your water body of interest: http://www.epa.ohio.gov/dsw/rules/3745_1.aspx#use%20designations
   - Ohio EPA , Division of Surface Water, Water Quality Standards Program for more information on Water Quality Use Designations: http://www.epa.ohio.gov/dsw/wqs/index.aspx
   - Additionally, The Integrated Water Quality Monitoring and Assessment Report indicates the general condition of Ohio's waters and identifies waters that are not meeting water quality goals: http://www.epa.ohio.gov/dsw/tmdl/OhioIntegratedReport.aspx
   - If you want to determine attainment with designated uses, you may also wish to look to at: http://www.epa.ohio.gov/dsw/tmdl/index.aspx#TMDL%Projects
   - If more specific attainment data is not available for the project site, you may wish to use: http://www.epa.ohio.gov/dsw/tmdl/2010IntReport/assessment_summaries.aspx

     Or

     http://www.epa.ohio.gov/dsw/tmdl/monitoring.aspx#2009_monitoring

     (For example, if you click on 2009 monitoring, then click on Great Miami River Upper, then scroll down to summaries and explanation of summaries, it will take you directly to the place in the Integrated Report that has assessment results)

9. ***Habitat assessments on streams –***

   - Many streams and drainage ways have a watershed of less than one square mile. We refer to these as "primary headwater" streams. Ohio EPA has developed a manual to promote the standardized assessment of primary headwater habitat streams in Ohio. It contains the Primary Headwater Habitat Evaluation (HHEI) Form which should be used in conjunction with this evaluation manual.

     - *Division of Surface Water's Primary Headwater Habitat Streams Web page:* *http://epa.ohio.gov/dsw/wqs/headwaters/index.aspx*

     - *Field Evaluation Manual for Ohio's Primary Headwater Habitat Streams - January 2012*: http://epa.ohio.gov/portals/35/wqs/headwaters/PHWHManual_2012.pdf

   - Streams with a watershed greater than 1 square mile should be evaluated using the *Qualitative Habitat Evaluation Index* (QHEI). The QHEI is a composite of six habitat variables: substrate, in stream cover, riparian characteristics, channel characteristics, pool and riffle quality and gradient and drainage area. It helps to distinguish the influence of habitat effects on fish communities in Ohio streams.

     - *Ohio EPA's Biological Criteria Web page (including QHEI):* *http://www.epa.ohio.gov/dsw/bioassess/BioCriteriaProtAqLife.aspx#qhei*

     - *Methods for Assessing Habitat in Flowing Waters: Using the Qualitative Habitat Evaluation Index* Manual: http://www.epa.ohio.gov/portals/35/documents/QHEIManualJune2006.pdf

10. ***ORAM assessments on wetlands –*** Ohio Revised Code §6111.02(A) specifies that the Ohio Rapid Assessment Method for Wetlands, version 5.0 (ORAM) should be used to characterize wetlands. ORAM includes the 10-page forms for Background Information, Scoring Boundary Worksheet, Narrative Rating, Field Form, Qualitative Rating, ORAM Summary Worksheet, and Wetland Category Worksheet. All of this information constitutes an ORAM characterization and must be completed for each wetland.

    - Ohio EPA's Wetland Ecology Group: http://www.epa.ohio.gov/dsw/wetlands/WetlandEcologySection.aspx
    - ORAM Documents: http://www.epa.ohio.gov/dsw/wetlands/WetlandEcologySection.aspx#ORAM

11. ***Other analysis –*** If you are proposing work in or along streams and rivers, you may be required to submit copies of mussel surveys, sediment sampling tests, and plans that show areas of bank stabilization and tree clearing.

12. ***Avoidance and Minimization -*** As part of the 401 WQC application, you must describe possible alternatives to the proposed project that would avoid impacts to the aquatic resource(s) that were considered during the project planning process. You must also describe ways to minimize impacts considered during the project planning process, including a description of how you plan to contain any dredged/excavated material to prevent re-entry into waterways or wetlands. Examples of alternatives include construction on the upland portions of the property; rerouting a roadway to avoid a wetland; or

alternate design plans. Minimization of the impacts may decrease any mitigation requirements that might otherwise apply. Minimization may include reduction of the amount of dredging, filling, or vegetative clearing.

13. ***Mitigation Site -*** The purpose of compensatory mitigation is to replace those aquatic ecosystem functions that would be lost or impaired as a result of an approved activity. Compensatory mitigation should generally be "in-kind" and occur as close to the site of the adverse impact as practicable. Goals of a mitigation site must be specific, measurable, and attainable within a specified timeframe. Include a Site Map indicating distance from project site and plan view drawing. Be prepared to provide rationale for mitigation site selection.

    The Surface Water Enhancement, Restoration and Protection Clearinghouse provides information for applicants seeking surface water improvement and protection sites for Section 401 water quality certifications, isolated wetland permits, or supplemental environmental projects and to persons or organizations who wish to offer property for consideration.

    SWERP Users Guide:
    http://www.epa.ohio.gov/portals/35/swerp/SWERP_Clearinghouse_Users_Guide.pdf

14. ***Mitigation & Monitoring Plan*** – The goals of mitigation must be clearly stated in the mitigation plan. Typically, the objective is to provide a minimum of functional replacement, i.e. no net loss of functions, with an adequate margin of safety to reflect anticipated success. In order to provide a sound technical basis for the review and approval of mitigation projects, Ohio EPA intends to utilize the following mitigation standards, criteria, and processes:

    - *U.S. Army Corps of Engineers Mitigation Guidelines for the State of Ohio:*
      http://www.lrh.usace.army.mil/permits/mitigation/ohio/
    - *Mitigation plan checklist:*
      http://www.epa.ohio.gov/portals/35/401/mitigation_monitoring_plan_checklist.pdf
    - *INTEGRATED WETLAND ASSESSMENT PROGRAM. Part 6: Standardized Monitoring Protocols and Performance Standards for Wetland Creation, Enhancement and Restoration, Version 1.0 Ohio EPA Technical Report WET/2004-6:*
      http://www.epa.ohio.gov/portals/35/wetlands/PART6_Std_Mitigation_Protocols.pdf

15. ***Ohio EPA's Section 401 Water Quality Certification application requirements –***

    ORC section 6111.30 specifies what items must be submitted for a Water Quality Certification application package to be considered complete. The required components under ORC division 6111.30(A) are listed on DSW's website (http://www.epa.ohio.gov/dsw/401/WQC.aspx) and include:

    - A complete 401 Water Quality Certification application form;
    - A copy of the United States Army Corps of Engineers' jurisdictional determination letter. If no jurisdictional determination is to be issued by the Corps, the public notice or notification that the project is authorized under a general permit will fulfill this requirement;

- If the project impacts a wetland, a wetland characterization analysis consistent with the Ohio Rapid Assessment Method;
- If the project impacts a stream for which a specific aquatic life use designation has not been made, a use attainability analysis;
- A specific and detailed mitigation proposal, including the location and proposed legal mechanism for protecting the property in perpetuity;
- Applicable permit fees (see Fees page);
- Site photographs;
- Adequate documentation confirming that the applicant has requested comments from the Ohio Department of Natural Resources and the United States Fish & Wildlife Service regarding threatened and endangered species, including the presence or absence of critical habitat;
- Descriptions, schematics, and appropriate economic information of the applicant's preferred alternative, non-degradation alternatives and minimal degradation alternatives for design and operation of the activity;
- The applicant's investigation report of the waters of the United States in support of the 404 permit application. If no investigation report is required by the Corps, the public notice or notification that the project is to be authorized under a general permit will fulfill this requirement; and
- A copy of the United States Army Corps of Engineers' public notice regarding the 404 permit application. If no public notice is to be issued by the Corps, notification that the project is authorized under a general permit will fulfill this requirement.

16. ***Ohio EPA's Section 401 and Isolated Wetlands Guidance Manual -*** Ohio EPA, Division of Surface Water is developing a guidance manual for the Section 401 and Isolated Wetland section. The manual is designed for applicants and provides, among other things, a step-by-step guide through the permitting process. It details the pre-application phase, provides detailed instructions for completing the Section 401 WQC application, details the components of a complete application and explains the difference between the completeness review and the technical review, explains the concepts of minimization and avoidance, mitigation, mitigation banking and protection in perpetuity, and provides links to helpful information. [Guidance is under construction]

17. ***Ohio EPA's Integrated Wetland Assessment Program. Part 6: Standardized Monitoring Protocols and Performance Standards for Ohio Mitigation Wetlands. 2004 -*** The goal of monitoring is to collect sufficient data to answer the question: has the mitigation wetland met the performance goal within the monitoring period? As recommended by the NRC (2001), the performance standards developed for mitigation monitoring in Ohio include a broad range of structural and functional measures. They were developed using reference wetlands as a model for the dynamics of created or restored sites, and require quantitative hydrologic monitoring in order to assure natural hydrologic regimes are established.

    - Integrated Wetland Assessment Program Part 6 Report: http://www.epa.ohio.gov/portals/35/wetlands/PART6_Std_Mitigation_Protocols.pdf

18. ***Wetland Water Quality Standards Rules and Isolated Wetland Statute –***

- OAC rules 3745-1-50 through 3745-1-54: http://www.epa.ohio.gov/dsw/rules/3745_1.aspx
- §6111.02 to §6111.029: http://codes.ohio.gov/orc/6111

19. ***Are other permits necessary for this project?***

- ***404***: When a project is planned in Ohio that will impact a wetland, stream, river, lake, or other water of the U.S., the Ohio Environmental Protection Agency (Ohio EPA) must issue a Section 401 Water Quality Certification (401 WQC) or a state isolated wetland permit. A Section 401 WQC is a required component of a federal permit and must be issued before a federal permit or license can be granted. The bulk of federal permits requiring 401 WQC from Ohio EPA are Section 404 Dredge and Fill Permits, which are issued by the U.S. Army Corps of Engineers (USACE).

  This means that any person or company planning to discharge fill materials to Ohio wetlands or other water bodies such as streams, rivers, and lakes by filling, excavating, open-trench cutting, or mechanical clearing, must receive 401 WQC authorization from Ohio EPA and must also apply for, and receive, a federal Section 404 Dredge and Fill Permit from the USACE.

  - US EPA's Policy and Technical Guidance Web page: http://www.epa.gov/owow/wetlands/guidance/index.html
  - Overview of Section 404 of the Clean Water Act: http://www.epa.gov/owow/wetlands/pdf/reg_authority_pr.pdf

- ***Storm Water***: To limit the negative impacts of construction projects on Ohio's waters, Ohio EPA administers a permitting program designed to document construction activity in the state and require practices that keep pollutants out of the streams. The permitting program is mandated in the Clean Water Act and is part of the National Pollutant Discharge Elimination System (NPDES) program. If your project disturbs 1 or more acres of ground, you must get a permit to discharge storm water from your site. If your project disturbs less than 1 acre, but is part of a larger plan of development or sale, you also need a permit to discharge storm water from the site. Industrial and construction activities in Ohio have two possible options for applying for a storm water discharge permit. The first option is to submit an individual NPDES permit application. The second option is to file a notice of intent (NOI) form requesting coverage under a general permit.

  - Ohio EPA's Construction Storm Water Program: http://www.epa.ohio.gov/dsw/storm/construction_index.aspx
  - Ohio EPA's Storm Water Post-Construction Q&A: http://www.epa.ohio.gov/dsw/storm/CGPPCQA.aspx

20. ***Your Questions*** – Provide any questions that you have about your project, your project planning process, your timeline, the permitting timeline, the water resources, etc.